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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number
1391/1561

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)).
On February 3, 2006

Signature /Steven P. Shurtz/

Typed or printed

Name Steven P. Shurtz

In re Application of Robert J. Yotka et al.

Application Number
10/712,114

Filed November 13, 2003

For **METHOD OF CONTROLLING RELEASE OF
N-SUBSTITUTED DERIVATIVES OF ASPARTAME IN
CHEWING GUM AND GUM PRODUCED THEREBY**

Art Unit
1761

Examiner
Arthur L. Corbin

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is
Reduced by half, and the resulting fee is :

\$

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No. 23-1925. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

/Steven P. Shurtz/
Signature

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is
enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 31,424

Steven P. Shurtz
Typed or Printed Name

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.

(801) 444-3933
Telephone number

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500.00 QP

February 3, 2006
Date

☒ *Total of one (1) form is submitted.